

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

EDWARD ADAMS,

Case No. 3:22-cv-00480-MMD-CSD

Petitioner,

ORDER

v.

GARRETT, *et al.*,

Respondents.

28 U.S.C. § 2254 habeas corpus Petitioner Edward Adams seeks an extension of time to file an opposition to Respondents' motion to dismiss. (ECF No. 40.) Counsel for Petitioner explains that Lovelock Correctional Center is refusing to schedule attorney client phone calls and that attorney visitation days are limited to Saturdays and Sundays, requiring counsel to arrange for childcare for her young children. The Court finds that the request is made in good faith and not solely for the purpose of delay, and therefore, good cause exists to grant the motion.

Petitioner has also filed a motion for leave to file two exhibits under seal. (ECF No. 33.) While there is a presumption favoring public access to judicial filings and documents, *see Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978), a party seeking to seal a judicial record may overcome the presumption by demonstrating "compelling reasons" that outweigh the public policies favoring disclosure, *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (citations omitted). In general, "compelling reasons" exist where the records may be used for improper purposes. *Id.* at 1179 (citing *Nixon*, 435 U.S. at 598). Here, Petitioner asks to file medical records for him as well as the victim under seal to protect their privacy. (ECF No. 33.) The Court has reviewed the medical records and concludes that Petitioner has demonstrated compelling

1 reasons to file the records under seal. Accordingly, the motion is granted, and the exhibits
2 will remain under seal.

3 It is therefore ordered that Petitioner's second, unopposed motion for extension of
4 time to file an opposition to the motion to dismiss (ECF No. 40) is granted *nunc pro tunc*.
5 The deadline to file the opposition is extended to November 14, 2024.

6 It is further ordered that Petitioner's motion for leave to file exhibits under seal (ECF
7 No. 33) is granted. The two exhibits will remain under seal.

8 DATED THIS 2nd Day of October 2024.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE